

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DIANE RIVERA,) CASE NO. 5:16 CV 105
)
 Plaintiff,) JUDGE DAN AARON POLSTER
)
 vs.) OPINION AND ORDER
)
 CAROLYN W. COLVIN, Acting Comm'r)
 of Social Security,)
)
 Defendant.)

This Social Security case is before the Court on the Report and Recommendation of Magistrate Judge Jonathan D. Greenberg. (Doc #: 17 (“R & R”).) The Magistrate Judge recommends that the Commissioner’s final decision denying DIB and SSI be vacated and the matter remanded for further proceedings consistent with the R & R. (Id.) The Commissioner has filed a response to the R & R stating, “Defendant, Commissioner of the Social Security Administration, will not be filing objections to this Honorable Court’s Report and Recommended Decision.” (Doc #: 18.) The Court has reviewed the thorough, comprehensive 33-page R & R and agrees with Magistrate Judge Greenberg’s findings and recommendation.

Accordingly, the Court hereby **VACATES** the Commissioner’s final decision denying Rivera’s application for DIB and SSI and **REMANDS** the case for further proceedings consistent with the R & R.

IT IS SO ORDERED.

/s/ Dan A. Polster November 17, 2016
Dan Aaron Polster
United States District Judge